



PATENT
Attorney Docket No. 44921-5124-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Arthur CASTLE et al.)
)
Application No.: **10/620,765**) Group Art Unit: **1645**
)
Filed: **July 17, 2003**) Examiner: **Unassigned**
)
For: **Nucleic acid detection assay control genes**)

Commissioner for Patents
U.S. Patent and Trademark Office
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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 form. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe a fee is due for filing this Information Disclosure Statement.

Copies of the documents listed are attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents constitutes "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention.

over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: February 13, 2004 By: _____
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ATION DISCLOSURE CITATION

(Use several sheets if necessary)

PTO Form 1440

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Applicants: Arthur CASTLE *et al.*

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Filing Date: July 17, 2003

Group Art Unit: 1645

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
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FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

Examiner:

Date Considered:

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.